



Land Watch Asia

Campaign Update 2010–2011

PHILIPPINES

Maximizing Opportunities vs. Backsliding on Asset Reform¹

Sixty percent of Filipinos derive their livelihood from agriculture, forestry or fisheries. But within agriculture, farm workers in sugarcane; small farmers in coconut, rice and corn; fishers, and forester households were found to be among the poorest of the poor, accounting for about 70 % of all subsistence households in 2000.² Meanwhile, illiteracy, unemployment, and poverty incidence were much higher among indigenous peoples than the rest of the population.

Since the Spanish era, the Philippine agrarian structure has been highly skewed causing intense land-related conflicts. Before the Comprehensive Agrarian Reform Program (CARP) of 1988, government estimated that around 20% of Filipino families controlled 80% of the lands. Traditional customary lands, on the other hand, were all subjected to the Regalian doctrine by Spanish rule, which put all public lands under the State.

Ratification of land reform policies was primarily a response to quell social unrest after the 2nd World War. The 1963 Agricultural Land Reform Code tried to replace feudal tenancy systems while Presidential Decree 72 subjected rice and corn lands to land distribution.

After the 1986 People Power revolution, the country saw the upsurge of perhaps the most progressive laws on resource tenure reform in Asia. Foremost among these is the 1987 constitution that showed a consistent policy linking land ownership and use to equitable distribution of wealth and a balanced ecology. Corollary to this main policy are the restrictive policies on the alienation of lands and their use, resource conservation and protection policies, and the recognition of the rights of farmers, indigenous communities and other marginalized groups. These policies serve as the yardstick for land-related legislation.³

Among these laws are the Comprehensive Agrarian Reform Law (CARL), the Indigenous Peoples Rights Act (IPRA), the Forestry Code, the National Integrated Protected Areas System (NIPAS), the Fisheries Code, and the Urban Development Housing Act (UDHA).⁴ The passage of these reform laws in the Philippines have largely been through the hard work and sacrifice of many groups from the marginalized sectors with the aid of other civil society organizations (CSOs).

Unfortunately, after decades of implementing these reforms, much still need to be done to improve the situation of the poor groups sectors of the country—farmers, fisherfolk, indigenous peoples, urban poor, forest communities, rural women.

The Land Watch campaign in the Philippines is spearheaded by the Philippine Partnership for the Development of Human Resources in Rural Areas (PhiDHRRA) in partnership with the People's Campaign for Agrarian Reform (AR Now!), Center for Agrarian Reform and Rural Development (CARRD), Philippine Association for Intercultural Development (PAFID) and Sentro ng Alternatibong Lingap Panligal (SALIGAN).

New Opportunities and Challenges for Tenure Reform

2010: New Government, New Hope?

The Philippines elected Benigno Simeon Aquino III (more popularly called “P-Noy”) last May 2010. He called the Filipino people his “Boss” and promises to rid government of the stains of corruption as a strategy to combat poverty and underdevelopment.

But hope for the rural poor is clouded with the current Public–Private Partnerships framework of the Aquino administration. Private investments—in mining, forests, biofuel plantations and orchards, and similar large-scale commercial enterprises—are seen to further encroach on agricultural land as well as ancestral lands of indigenous communities. The silver lining, though, is a proclamation during his first State of the Nation Address that his government will support the national land use policy as a priority legislative agenda. But will the final policy uphold food security, the environment and equity for the poor?

Extending CARP ≠ Completing Land Transfer?

Republic Act 8532, an act strengthening CARP implementation from 1998 to 2008, has expired. In 2006, agrarian reform peasant organizations and advocates began lobbying Congress to pass a new law to extend CARP’s funding to complete the land acquisition and distribution component of the program, including reforms to aid the program’s implementation such as better support services and access to credit for farmers.

Finally, in August 2009, the Comprehensive Agrarian Reform Program Extension with Reforms (CARPER) or Republic Act 9700 was enacted by Philippine Congress thanks to the herculean efforts of CSOs, especially the farmer groups. Essentially, CARPER was able to extend the land acquisition and distribution component of CARP and provided an additional funding of Php150 billion for CARP implementation until 2014.

But 24 years after the passage of CARP, government has yet to finish distributing some 9 million hectares (ha) of agricultural land to agrarian reform beneficiaries. By 2014, 1 million ha should have been completely distributed to landless farmers. But this will definitely be a huge challenge since the remaining lands, many of them sizeable (24 ha and above)—are mostly owned by the landed elite. As of 2011, the Department of Agrarian Reform (DAR) was only able to transfer 19% of its annual target. With such a low rate of accomplishment and only three years to go, it is unlikely that the total CARP target will be reached.

Recognizing IP Land Rights

More than ten years after the passage of the Indigenous Peoples Rights Act (IPRA), only 55% of the targeted 7.7 million ha have been awarded to indigenous communities and very limited development activities in support of the ancestral domain management plans have been undertaken in IP areas. Poor government performance in IPRA implementation is rooted in conflicting policies, capacity gaps of the implementing agency, and a questionable commitment to prioritize the empowerment of indigenous communities over the entry of large-scale foreign and local commercial interests into resource-rich IP lands to establish mining and agribusiness enterprises.⁵

Conflicting, Overlapping Policies on Land and Other Resources

Conflicts in policies, differing interpretations and overlaps in scope create confusion and result in the detriment of the basic sectors. Government has tried to harmonize the laws through dialogues and by setting up joint agency mechanisms. These mechanisms have not reached though the involved basic sectors whose conflicts remain unsolved by the current policies. For instance, IP claims over their ancestral lands are now being contested by the agrarian reform claims of lowland

farmers (with the support of DAR), resulting in conflicts between indigenous communities and farmers in a growing number of areas. LGUs also represent another group of competitors to IP community land claims.⁶

National Land Use Policy, Where art Thou?

The past six congresses bypassed the national land use act (NLUA). The absence of a national land use policy not only means the lack of a law to rationalize and harmonize the use of the country's natural resources into an integrated plan. It also worsens cross-sectoral issues in the Philippines such as: (i) tenurial conflicts; (ii) effects of climate change; (iii) food insecurity; (iv) agri-fuel productions; (v) foreign direct investments or global land grabbing; and (vi) mining. Thus, a more compelling campaign for enactment of NLUA is considered as a crucial step in ensuring protection of and equitable access to natural resource production such as water and land. It is also necessary to review the current version of the NLUA bill and ensure the provisions of the proposed law will address climate change issues relative to natural resource management.



Foreign Direct Investments (FDI) and Global Land Grabbing

In the name of food security, governments and investors from countries like China, Japan and Korea, are leasing thousands of hectares of land in poorer but willing countries for food production for export to their home countries. Thus, lands previously transferred under social reform programs like CARP to small food producers are leased back to a single entity.

Foreign mining investments are also a type of FDI and at the same time pose serious geo-hazard concerns; locations for mining operations also require strict regulations. Mining operations encroach on forest lands and the ancestral domains of indigenous peoples as well as farmland and coastal communities.⁷

The Land Watch Asia Campaign in the Philippines

Land Watch Asia (LWA) is a regional campaign that aims to ensure that issues of access to land, agrarian reform, and equitable and sustainable development in rural areas are addressed in national and regional development discussions.

Recognizing the critical goals of defending land reform and confronting the pressing issue of overlapping resource laws, the Land Watch campaign in the Philippines became an intersectoral platform of some 60 non-government organizations (NGOs) and people's organizations (POs) representing four major rural poor sectors: the small farmers, fisherfolk, indigenous peoples and forest communities. Acting as sectoral convenors are the People's Campaign for Agrarian Reform Network (AR Now!) for the small farmers, the Philippine Association for Intercultural Development (PAFID) for the Indigenous Peoples, the Philippine Partnership for the Development of Human Resources in Rural Areas (PhilDHRRRA) for the forest communities, and the Sentro ng Alternatibong Lingap Panligal/Center for Alternative Legal Assistance (SALIGAN) for the fisheries sector. Presently, PhilDHRRRA takes on the convenor role of the network.

The campaign partners in the Philippines committed to work on their common priority advocacies intended to promote access to and control of the basic sectors to land, water and other natural resources. Their major interventions are discussed below.

The People's Fight for CARPER

The Land Watch campaign aimed not just to extend CARP's budget, but also to give millions of small landless farmers the chance to own land. The fight was won by the sacrifices and efforts of many groups including the AR Now! network, PhilDHRRA, SALIGAN, the Center for Agrarian Reform and Rural Development (CARRD), the National Federation of Farmers Organizations (PAKISAMA) and Task Force Mapalad (TFM).

Inside the halls of Congress, members actively lobbied as part of the technical working group that consolidated the House and Senate versions of the bill; they also lobbied during the Bicameral Conference meetings. To refine arguments and positions, roundtable discussions were held on CARP-related impact studies, the CARP budget and agrarian reform budget utilization.

Information dissemination through media activities and education materials were also maximized to promote the campaign. Position papers, primers, lobbying kits were produced in various Philippine languages. Numerous press conferences, media releases, television and radio

interviews were facilitated. CARPER's online presence was also felt with the Land Watch blog.⁸

After three years of relentless lobbying, RA 9700 or the CARP Extension with Reforms Law was passed and signed on August 2009. The new law breathed life to the continued redistribution of some 1.2 million has of mostly private agricultural lands to identified beneficiaries. Members of Land Watch Philippines continued to be part of the technical working group convened by the Department of Agrarian Reform (DAR) to draft necessary implementing rules and regulations (IRR) of CARPER.

Campaign for the Passage of the National Land Use Act

After CARPER was won, the campaign took on the lobbying for the passage of the NLUA as a cross-sectoral advocacy to reconcile conflicting laws and competing land uses, and institutionalize sustainable policies for social equity on land use, management, and protection of resources.

PhilDHRRA, ANGOC and KAISAHAN (Solidarity for Rural Development), regrouped the People's ALARM or People's Advocacy for Land Use Reform—a multi-sectoral group of NGOs and POs formed in the early 1990s to advance the call for the passage of a NLUA. This time, People's ALARM was renamed Campaign for Land Use Policy Now or CLUP Now! to reflect the group's expansion and the common and urgent call for the enactment of this long overdue law. CLUP Now! is currently composed of 30 POs and NGOs representing the basic sectors of farmers, fisherfolk, urban poor, indigenous peoples, women, and environmental groups.

CLUP Now! first refined the previous version of the draft bill through sectoral and regional discussions that helped attune the provisions to the advocacies of each sector. PhilDHRRA and KAISAHAN organized training sessions on land use and the comprehensive land use planning processes for local leaders and NGO advocates.

At the series of Electoral Forums held in April 2010 co-organized by ANGOC, the Catholic Bishops' Conference of the Philippines (CBCP), the Catholic Media Network





(CMN) and CLUP Now! partners, politicians vying for the senatorial, vice presidential and presidential posts were asked about their positions on key issues faced by the rural sectors. The candidates almost unanimously acknowledged the need for a national land use policy.

CLUP Now! members vigilantly attended technical working group meetings in the Lower House and in the Senate to safeguard the sectors' rights and interests in the drafting of the consolidated versions. The campaign has gained momentum in the past year with the number of co-authors increasing from 29 to 56 in the House of Representatives. Now, in the Lower House, funding for the bill is being checked at the Committee on Appropriations. At the Senate, the bill has been signed by most of the senators. Both bills are up for second reading and plenary debates.

Safeguarding IP Rights to Customary Land

FINDING COMMON GROUND TO ADDRESS IP-FARMER LAND CONFLICTS

Conflicting policies and overlapping laws, especially on the coverage of ancestral lands by other tenure programs and investment plans, seriously threaten indigenous peoples' rights.

Since 2006, PAFID, KASAPI (Coalition of IP Federations), ANGOC and AR Now!, have been assisting IP communities and conducting policy dialogues to help resolve these

conflicts from overlapping claims covered by CARP and IPRA. Though there have been past efforts at harmonizing the implementation of CARP and the IPRA by the Department of Agrarian Reform (DAR), the Department of Environment and Natural Resources (DENR) and the National Commission on Indigenous Peoples (NCIP), no definite mechanism addressing these conflicts, nor clear civil society participation in the process, are in place.

A case in point are the ancestral lands of the Buhid Mangyan tribe in Mindoro Oriental, which is covered by a Certificate of Ancestral Domain Claim (CADC) No. 130 1998 over 94,000 ha of ancestral land. They have a pending Ancestral Domain Title application with the NCIP that would give them a registered title. However, the DAR did not respect the CADC when, in 2004, without FPIC and any attempt to coordinate with the NCIP, it surveyed and processed CARP titles for more than 1,500 ha of the ancestral land for distribution to 273 potential farmer beneficiaries affecting nine Buhid communities. The CARP titles have since been registered making it more difficult to reverse. Worse, the Mangyans found a signed order from the DAR Secretary then to proceed with the registration, violating the Status Quo order issued by the defunct Land Dispute Settlement Commission. But with the change of DAR leadership in 2010, DAR rules on CLOA cancellation were revised to the advantage of the Buhid case. Finally, the cancellation of the contested CLOAs on their land is underway.

The interventions have provided a venue for common advocacy between IP and farmer support groups. Together, these groups held high-level policy dialogues with DAR,



NCIP, and other land-related agencies to explore mutually acceptable solutions to the ensuing conflicts between the implementation of CARP and IPRA.

Support groups have also brought these issues to the attention of DAR's funding partners and other CSOs working on land rights. At the international front, the group brought the case to the UN Special Rapporteur on the Right to Food through a letter written by PAFID and the Mangyans.

ARRIVING AT A CONSENSUS POLICY AGENDA FOR INDIGENOUS PEOPLES' CONCERNS⁹

Indigenous peoples and their support groups have always aspired for government's genuine and substantial consideration of IP concerns in the country's development agenda. The new government showed promise to concretely address development needs and issues of tribes. Different alliances already came up with their proposed agenda but needed to be consolidated as a unified IP policy agenda to be given attention. It was in response to this need that the Consultative Group on Indigenous Peoples (CGIP) was established in August 2010 as a loose coalition comprising a broad spectrum of IP federations and NGOs (including KASAPI, PAFID and ANGOC). The CGIP is supported by the House Committee on National Cultural Communities to produce such a consolidated IP agenda.

Around the same time, the NCIP intended to come up with an IP Master Plan or IPMAP, as directed by the

National Economic Development Authority (NEDA). The CGIP had critiqued the content of the IPMAP and recommended that the Master Plan take off from the IP agenda.

Two national conferences were then held to craft the consensus IP policy agenda and action plan on 28 October 2010 and on 21–23 March 2011 in Manila. Over 150 groups from 56 ethno-linguistic backgrounds reviewed and affirmed the policy agenda and action plan presented to government agencies and other development support organizations.

Addressing the Land Grab Phenomenon and Food Insecurity

The demand for Asia and Africa's farmlands in the latter half of the past decade was heavily attributed to the food crisis and the need for environmentally-sound fuel sources. As part of the campaign, ANGOC and campaign partners conducted two roundtable discussions to analyze the effects of these trends.

ROUNDTABLE DISCUSSION ON LAND GRABBING

Partners undertook a research initiative, conducting case studies to examine the impact of new agricultural investments on farmers' land tenure, food security of rural communities, and the environment. The findings were shared during a roundtable discussion on land grabbing held in Quezon City last 9 May 2011, which was jointly organized by ANGOC, KAISAHAN and AR Now! Tackled were land grabbing, commercial pressures on land and increasing investments in agriculture. Three cases on encroachment of foreshore lands, community resistance to a multinational pineapple plantation in Quezon, Bukidnon; and IPs in special economic zones in Aurora Province were likewise presented.

Concurrently, AR Now! through KAISAHAN, is also spearheading a process to refine a proposed law on regulating foreign land acquisitions in the Philippines. The draft bill has been subjected to consultations in the provinces.



The research study and cases provide inputs to both the proposed law to regulate land grabbing and a regional campaign strategy of Land Watch Asia on the said issue.

ROUNDTABLE DISCUSSION ON FOOD SECURITY

The global food crisis brought to fore the need to focus on the agricultural and food situation of the Philippines, ironically one of the biggest importers of rice in the world today. ANGO, together with the Philippine Development Assistance Programme (PDAP) thus organized a forum for major stakeholders on food security and agriculture to discuss key elements in attaining food security in rural households, as well as identifying challenges and opportunities in advancing food security in the rural areas.

Key government representatives, development partners and CSOs came to the RTD to reflect on what ails the Philippine agriculture sector and looking for alternatives on ensuring food security.

ANGOC prepared an overview paper of policies and programs of the country relating to food and nutrition security, especially at the household level. It provided a perspective on how government policies and programs can be strengthened and sustained for the rural poor. The study also highlighted concrete recommendations to various stakeholders in securing local and national food and nutrition security.

The Department of Agriculture is in the process of localizing the Organic Agriculture Act, which was passed in 2010. However, the institutional and policy context for organic produce is weak and fragmented; hence strategies have to be identified to optimize the opportunity presented by the said act.



The exchange gave input to the Government of Bangladesh, which is planning to formulate a law for indigenous peoples. Participants learned firsthand from the Philippines' experience in the formulation of IPRA and the challenges in its implementation.

The delegation was composed of two Members of Parliament, the Information Commissioner and a Parbatya Chattagram Jana Sanghati Samiti (PCJSS) representative to the drafting committee on indigenous peoples' rights in the Constitution. PCJSS is the political party with whom the Bangladeshi government signed the Chittagong Hill Tracts (CHT) Accord in 1997. ALRD also joined the group as the CSO representatives and as secretariat.

The team had a sharing session with the CGIP groups and also visited the ancestral domain of the Aeta tribe in Pastolan, Zambales who were awarded their Certificate of Ancestral Domain Title (CADT).

Bangladesh Parliamentarians Study Tour on Indigenous Peoples' Policy Environment in the Philippines

As a Land Watch Asia learning initiative, ANGO and the Association for Land Reform and Development (ALRD), in cooperation with KASAPI and PAFID, co-organized a study tour of Bangladeshi Parliamentarians and CSOs last 22–25 February 2011 in the Philippines.

CSO Land Reform Monitoring

The CSO land reform monitoring initiative seeks to develop CSOs' capacity to monitor agrarian reform implementation in selected countries in Asia through the development of a CSO land monitoring framework. Country focal points have piloted the proposed indicators on land tenure (e.g., land disputes and evictions) and access to land (landlessness, land ownership and

distribution), as well as budgets, laws and policies relating to agrarian reform.

PhilDHRRA, as the Philippine country focal point, monitored the government's progress in enhancing land and tenurial security of three critically impoverished sectors of the country—farmers, fisherfolk and indigenous peoples. More than 600,000 agrarian reform beneficiaries are still awaiting the distribution of almost 1 million ha of land. Fisherfolk residing in 94% of coastal municipalities have no protection in terms of local ordinances delineating their waters. About 55% of ancestral domains still have to be titled to indigenous peoples. The report stresses the need for clear ownership of lands to prevent land conflicts, including land grabbing, which result in human rights violations. Moreover, government and CSOs should extend strong support services to see to it that these basic sectors do actually benefit.¹⁰

Gains of the Campaign

Strengthening the Policy Environment

A major upheaval that gave reforms a push is the change in Philippine leadership in 2010. It brought new hope and opportunity to the advocacies of the Land Watch campaign especially in proposing new policies protecting the rights of the resource-poor.

To ensure the inclusion of pro-farmer amendments to CARP, AR Now! members provided research and technical support to legislators and lobbyists in Congress to justify the viability of smallholder land ownership and its crucial role in national development. Key amendments were inserted into the CARPER: stricter regulation of any conversion of agricultural lands for uses other than food production; the transfer of agrarian related cases under the jurisdiction of the DAR Adjudication Board; the indefeasibility of the Certificate of Land Ownership Award; and disallowance of the voluntary land transfer scheme giving priority to compulsory acquisition of private agricultural lands.¹¹

For IP land rights, the IP Consensus Policy and Action Agenda for the P-Noy administration was a major triumph since it is rare that various IP groups come together to agree on a common platform of advocacy. Foremost on the IP Agenda are the respect of the IP right to self-determination; full implementation and monitoring of the IPRA and the reform of NCIP bureaucracy; delivery of basic social services and promotion of indigenous knowledge systems; protection from various forms of development aggression, human rights violations and militarization; and recognition of the role of IPs in peace processes. Apart from these, the CGIP and its processes have raised greater solidarity among IP organizations and communities as well as among IP support groups.

The roundtable discussions on land grabbing and food security provided sound basis for assessing how various forms of land investments or acquisitions in the country are affecting different sectors and what possible regulation can be done on future investments.

Gaining “Champions” for Land Rights

The consensus building at the core of CGIP all began when Ifugao representative Teddy Brawner Baguilat called the various IP formations and asked them to define an IP legislative agenda in Congress from 2010 to 2013. Since then, the IP sector gained a staunch



champion in the Lower House. Through the Committee on National Cultural Communities (NCC), violations of IP rights (particularly by mining companies) were investigated, the NCIP Commission was revamped and a review of the FPIC process is ongoing. CGIP provides technical consultancy



and information on cases brought before the NCC and policy recommendations.

The 20-year old campaign for a national land use policy gained a much needed champion in Congress through Representative Arlene “Kaka” Bag-ao. Having been a former NGO lawyer and CARPER lobbyist, she made the passage of NLUA her flagship Bill and continues to convince other House members to support the Bill.

Enhancing CSO Capacities

The CARPER campaign honed the policy making and analysis competencies of the campaign partners, both NGOs and farmer leaders. They were part of the Technical Working Groups in Congress to input to the proposed law and to finalize the Implementing Rules and Regulations of the CARPER. This CSO participation promoted a spirit of transparency and recognition of the issues and inputs of the sectors in CARPER implementation. CARRD is currently monitoring the budget for the agrarian justice delivery program of DAR, while PhilDHRRA is monitoring the status of CARPER implementation using the CSO land reform monitoring indicators.

CLUP Now! tapped the expertise of Professor Ernesto Serote, EnP, as its Technical Adviser and Trainer in refining the Bill and for study and training sessions. By using the inputs from these sessions, the advocates tried to attune the bill to the current challenges on the use of natural resources coming from competing land uses, climate change, IP rights, economic exploitation or

global acquisition of resources. Of the four categories for land use planning, protection land use for food security and environmental integrity needs to be prioritized and was thus pushed by CSOs in the draft bill.¹²

Meanwhile, PhilDHRRA's CSO Land Reform Monitoring Report established the importance of good research in arguing for land tenure reform. The report intends to provide empirical evidence on how well or not tenure programs are progressing on a regular basis. It has potential to be viewed as a credible CSO research to assess the social reform policies. A set of indicators have thus been developed to streamline monitoring the progress of implementing land tenure programs.

The longstanding land conflict of the Buhid Mangyans with some farmers has ironically trained the Mangyans on the art of filing petitions to appeal their case. Since 2005, they have at least filed 33 formal petitions to stop the issuance of land titles under CARP inside their CADC to various government offices up to the Office of the President of the Philippines. They also got high-level exposure in presenting their case at policy dialogues with at least two DAR Secretaries and at Congressional inquiry. This last inquiry resulted in the formation of an Inter-agency Task Force composed of DAR, DENR, and NCIP to further see the resolution of the Buhid case through and to come up with a joint policy on how to manage and resolve similar conflicting claims in the future.

Networking for Campaign Support

Through the three-year CARPER campaign, the Land Watch partners forged necessary alliances under the Reform CARP Movement (RCM) and the Rural Poor Solidarity (RPS) initiated by the Catholic Church. RCM and RPS were also involved in the Technical Working Group with the DAR to finalize the implementing rules and regulations of the CARPER law that defines the rules of engagement at field level.

On one hand, there is no doubt that DAR needs structural reforms by itself. The campaign was able to harness supportive individuals within the bureaucracy. These partnerships took the form of joint discussions

and forums, sharing of inside information and tactic sessions that ensured that the draft CARPER bill was moving at Congress with the required push from the executing and implementing agencies.

The CARPER campaign was able to gain extensive media coverage that made agrarian reform a household term and put agrarian reform back on the national agenda. Crucial to this success was the active participation of various peasant organizations, NGOs, church leaders, key public personalities, non-peasant sectors (i.e. students councils and organizations, artists, labor and urban poor groups, etc.), and, especially, the commitment and perseverance of legislative champions both at the House and at the Senate. The land use campaign also began with their media advocacy through TV and radio.

For the Land Use campaign, CLUP Now! has expanded membership with more urban poor, local rural organizations and environment groups. Locally, as an output of the regional consultations, organizations that have signed in the covenant have also expressed interest to work with CLUP Now! to localize the land use campaign. At the national level, CLUP Now! is currently discussing with several campaign groups such as CGIP, Save our Fisheries Network (fisheries), SAGIP GUBAT (forestry) and SOS Yamangbayan (mining) to be involved in its lobbying work.

A mechanism for the campaign to engage high-level stakeholders is the Philippine Development Forum (PDF), which comprises government agencies and donors, and now CSOs, to discuss development priorities especially

for Official Development Assistance. ANGOC actively sits in the Sustainable Rural Development (SRD) working group of the PDF, wherein it brought in the Land Watch Philippines convenors. Collectively, they have raised community issues and perspectives on agrarian reform, resource management, mining, and IP rights.

Lessons and Moving Forward

The passage of CARPER was a pivotal success for the Land Watch campaign in the Philippines, having been able to defend agrarian reform and highlight the need to complete land distribution and respect small landless farmers' right to own land. The success of agrarian reform enables farmers not just to own their land but enable them to make informed choices about their livelihood. Furthermore, it sent a strong message to agrarian reform opposition that the small and landless farmers and their support groups can gather massive social forces to stand with them and defend social justice.

But this last phase of CARP aims for the most difficult and challenging of all lands to be transferred since it deals with private, family-inherited landholdings. Thus, resistance is expected both in communities and again, in the halls of Congress, which may seek the ultimate demise of CARP and closure of DAR in 2014. It is also vital that the progress of DAR be monitored in terms of land distribution having an 800,000-ha backlog to be finished in less than 3 years.

While the legislative process of enacting the NLUA bill is taking some time, existing policies like the Fisheries Code, CARPER, IPRA, and UDHA remain sectoral and fragmented and do not address conflicts, overlapping land use, long term sustainability, misuse of natural resources and social equity.

Conflicting land use cases remain unresolved. Aside from these cases which affected vulnerable sectors, recent events proved the communities' vulnerability to disasters with incidents of landslides in mining settlements or mountains with housing projects, flooding in urban centers, foreign investments in fisheries denying access of fishers to coastal resources to cite



some. Lastly, climate change, biofuels promotion, foreign land investments among others aggravate the already pressing issue of land use conflict.

In order for the NLUA bill to pass before the 15th Congress adjourns in 2014, CLUP Now! needs to work on securing at least 100 more signatures as co-authors in the Lower House and the unwavering support of the Senators. More sectors and groups need to be involved in the campaign to help in the groundwork for more signatories in Congress and to emphasize its importance to the future development of the country.

Upon assessment, CGIP groups agreed that they would be working as a think tank to do gap analysis, lobby policies and disseminate information with regards IP issues and concerns. It recognized the value of having a unified agenda. This enables the network to respond immediately to the issues even as each organizational member of CGIP has its own expertise and priorities.¹³ CGIP also committed to lobby for the three resource reform bills in Congress now, namely the NLUA, the forest resources bill and the minerals management bill.

By and large, the collective effort and consciousness of the rural poor sectors and the support of other CSOs have spelled the difference for the success of the Land Watch campaigns in the Philippines. Although champions in the legislature have been identified and maximized to promote and protect asset reform laws, more are needed. The sectors also need to increase their knowledge and understanding of the issues that affect each other and their ecosystems.

The Land Watch campaign in the Philippines has thus planned to continue strengthening its work as an intersectoral platform to monitor the status of asset reform implementation from different fronts but also coming together in key advocacy activities. Primary among these are the passage of the national land use law, implementation and budget monitoring of reform programs, information and education activities for intersectoral learning and strategizing especially towards resolution of overlapping policies on land and resource conflicts.

The victories of the rural poor in securing land tenure through progressive laws are still fragile and



conflicted. As history has proven, protecting the rights of the poor is a collective effort of a revolutionary nature. Though the Philippine policy framework already ensures these resource rights with landmark legislation, the disadvantaged basic sectors need to be extra vigilant, informed and organized to safeguard these rights. ■

Endnotes

- ¹ Condensed by Conrad Tolentino and Maricel Almojuela—Tolentino based on reports and updates prepared by campaign partners. Edited by Catherine Liamzon and Nathaniel Don Marquez. Design and layout by Liza Almojuela.
- ² National Statistical Coordination Board, 2000.
- ³ Asian NGO Coalition for Agrarian Reform and Rural Development. “Defending the Gains of Tenurial Reform,” *Securing the Right to Land: a CSO Overview on Access to Land in Asia*. Quezon City: 2009.
- ⁴ Republic Act 6657 or CARL was enacted in 1988. It targeted the redistribution of 8.1 million ha of agricultural land and integrated social forestry areas to 3.9 million landless tenant farmers and farm workers over a 10-year period. RA 8371 or the IPRA seeks to recognize, promote and protect the rights of indigenous cultural communities, which include the right to ancestral domain and lands, self-governance, and the right to cultural integrity. NIPAS provides for the use and enjoyment of protected areas consistent with the principles of biological

diversity and sustainable development. RA 8550 or Fisheries Code provides for the establishment of fisherfolk settlement areas and gives jurisdiction to the municipal or city government over municipal waters. RA 7279 or UDHA lays down the groundwork for a comprehensive and continuing urban development and housing program by prioritizing the provision of decent shelter to the poorest of the poor.

⁵ Philippines Country Paper. ANGOC, 2009.

⁶ ANGOC. "Defending the Gains of Tenurial Reform."

⁷ Framework paper on NLUA prepared by People's Alarm for its 2009 Assessment.

- ⁸ The Land Watch Philippines blog (<http://landwatch.i.ph>) contains information on land-related advocacy in the country.
- ⁹ Derived from the project proposal and report on the Indigenous Peoples' Summit, March 2011, SEAMEO-Innotech, Quezon City.
- ¹⁰ Philippine Partnership for the Development of Human Resources in Rural Areas. Systematizing Access to Land Monitoring in the Philippines. July 2011.
- ¹¹ CARPER Paralegal Primer, CARRD, 2011.
- ¹² Four categories of land use planning: Protection, Production, Settlement and Infrastructure.
- ¹³ CGIP assessment, October 2011.

This campaign update is made possible with the support of the International Land Coalition (ILC) and MISEREOR. The views provided in this update do not necessarily reflect the views or policies of ILC and MISEREOR.



The International Land Coalition is a global alliance of civil society and intergovernmental organizations working together to promote secure and equitable access to and control over land for poor women and men through advocacy, dialogue and capacity building.



As the overseas development agency of the Catholic Church in Germany, MISEREOR works in partnership with all people of goodwill to promote development, fight worldwide poverty, liberate people from injustice, exercise solidarity with the poor and persecuted, and help create "One World".



www.phildhra.net



landwatch.i.ph



www.carrd.org.ph



www.pafid.org.ph



www.saligan.org



Founded in 1979, ANGOC is a regional association of 17 national and regional networks of non-government organizations (NGOs) in Asia actively engaged in food security, agrarian reform, sustainable agriculture, participatory governance and rural development. ANGOC member networks and partners work in 14 Asian countries with an effective reach of some 3,000 NGOs and community-based organizations (CBOs). ANGOC actively engages in joint field programs and policy debates with national governments, intergovernmental organizations (IGOs), and international financial institutions (IFIs).

ANGOC is a founding member of the International Land Coalition (ILC).

Asian NGO Coalition for Agrarian Reform and Rural Development
 73-K Dr. Lazcano St., Barangay Laging Handa
 1103 Quezon City, Philippines
 P.O. Box 3107, QCCPO 1101, Quezon City, Philippines
 Tel: +63-2 3510581 Fax: +63-2 3510011
 E-mail: angoc@angoc.org
 URL: www.angoc.org



Land Watch Asia (LWA) is a regional campaign to ensure that access to and control of land, agrarian reform and sustainable development for the rural poor are addressed in national and regional development agenda. The LWA is facilitated by ANGOC and involves civil society organizations in Bangladesh, Cambodia, India, Indonesia, Nepal, Pakistan, Philippines and Sri Lanka. LWA aims to: (i) take stock of significant changes in the policy and legal environments; (ii) undertake strategic national and regional advocacy activities on access to land; (iii) jointly develop approaches and tools; and (iv) encourage the sharing of experiences on coalition-building and actions on land rights issues.

This campaign update covers the period 2010–2011.